IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 2 of 2000

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

JAI KISHAN GANOTIA KHETI SAHAKARI MANDLI LTD.

Versus

KHODAJI GANDAJI THAKORE

Appearance:

1. Appeal from Order No. 2 of 2000

MS MEGHA JANI for Appellant No.

MR DN TRIVEDI for Respondent No. 1-2,4,10-14

DELETED for Respondent No. 3

NOTICE SERVED for Respondent No. 5-9

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 12/01/2005

ORAL JUDGEMENT

1. The appellant original plaintiff has preferred this Appeal from Order against the order dated 29/11/1999 passed below Exh.5 by the 2nd Joint Civil Judge (S.D.), Ahmedabad (Rural) at Mirzapur in Special Civil Suit No.62 of 1998, whereby the said application was rejected and status quo which was granted initially was vacated.

2. While admitting this Appeal from Order, this Court in Civil Application No.14 of 2000 had directed the parties to maintain status quo with respect to the suit land in question.

3. I have heard learned counsel for the parties and have perused the relevant documents on record. In view of the facts and circumstances of the case, I am of the opinion that ends of justice would be met if the appellant is directed to make an application for expediting the hearing of the said Suit since the suit is of the year 1998.

4. Therefore, without entering into the merits of the matter, the appellant is directed to make an application for expediting the hearing of Special Civil Suit No.62 of 1998 pending before the learned 2nd Joint Civil Judge (S.D.), Ahmedabad (Rural) at Mirzapur. On receipt of the said application from the appellant, the trial Court shall hear and dispose of the same as expeditiously as possible.

5. With the above observations and directions, the Appeal from Order stands disposed of. Parties are directed to maintain status quo till the said suit is finally disposed of.

[K.S. JHAVERI, J.]
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